

AD-59
Ct No.01
Jalpaiguri
22.09.2023
SP

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side**

CRM (DB) 581 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 14.09.2023 in connection with Rajganj Police Station Case No. 282 of 2023 dated 02.06.2023 under Sections 498A/302/120B of the IPC, 1860.

And

In the matter of: SANJILA KHATUN @ SONJILA KHATUN

Mr. Arijit Ghosh

... for the petitioner

Mr. Aditi Shankar Chakraborty
Mr. Kallol Nag

... for the State

1. Learned counsel for the petitioner submits that the petitioner was indicted on the basis of circumstantial evidence. It is argued that the petitioner is already in custody for more than 100 days and as such, since the investigation is completed, ought to be released on bail.
2. Learned counsel for the State opposes the prayer for bail in view of the seriousness of the offence.
3. It is submitted that the petitioner is the principal accused and a bottle of poison was found from the petitioner.
4. It is argued that since the death occurred due to administration of poison, the recovery of the bottle of poison from the petitioner is clinching.

5. Keeping in view the gravity of the offence and the fact that there is a chance of the petitioner tampering evidence in the event of release on bail, we are of the view that bail ought not to be granted to the petitioner at this stage.
6. Accordingly, CRM(DB) 581 of 2023 is dismissed.

(Sabyasachi Bhattacharyya, J.)

(Uday Kumar, J.)